

ARTICLE 11.07 FILED AND SET ISSUES

**NO ARTICLE 11.07 APPLICATIONS WERE FILED AND SET FOR
SUBMISSION ON THE WEEK OF MARCH 3, 2021**

ALPHABETICAL LISTING WITHOUT ISSUES

WRIT NO.	NAME	DATE FILED AND SET
WR-90,880-02	CASTILLO, DENNIS JACOB	01/27/2021
WR-91,748-01	COLLIER, ARTHUR RAY	11/25/2020
WR-91,503-01	COOK, JASON JERMAINE	02/10/2021
WR-83,074-04 & -05	HILL, MICHAEL CHARLES	02/05/2020
WR-91,197-01 & -02	KIBLER, JONATHAN H.	05/06/2020
WR-91,731-01	MATHEWS, AARON	11/11/2020
WR-88,970-01	MCMILLAN, TANYA MARIE W.	02/12/2020
WR-56,380-03	ROARK, ANDREW WAYNE	12/11/2019
WR-90,982-01	SALINAS, GENOVEVO SALINAS	01/27/2021
WR-89,128-01	THOMAS, STEVEN	01/30/2019

NUMERICAL LISTING WITH FILED AND SET ISSUES

WR-56,380-03

ROARK, ANDREW WAYNE

12/11/2019

Whether Applicant is entitled to relief because the State's expert recanted her trial testimony and because there is new science on rebleeds of subdural hematomas in young children. *See* TEX. CODE CRIM. PROC. art. 11.073.

WR-83,074-04 & -05

HILL, MICHAEL CHARLES

02/05/2020

These applications were filed and set for submission to determine whether (and if so, when):

(1) a defendant's failure to object at the time of trial to the use of a prior enhancing conviction forfeits error, particularly in the context of sex offenses; TEX. CODE CRIM. PROC. art. 1.14(b); TEX. PENAL CODE § 12.42(c)(2), (g); *see Ex parte Rich*, 194 S.W.3d 508 (Tex. Crim. App. 2006); *Ex parte Patterson*, 969 S.W.2d 16 (Tex. Crim. App. 1998, op. on reh'g);

(2) vacating a prior enhancing conviction that was final at the time of the subsequent conviction and sentence affects the validity of the subsequent sentence, particularly in the context of sex offenses; *Anderson v. State*, 394 S.W.3d 531 (Tex. Crim. App. 2013);

(3) the use of a prior enhancing conviction that does not increase the punishment range causes harm; *see Ex parte Parrott*, 396 S.W.3d 531 (Tex. Crim App. 2013); and

(4) a claim concerning the use of a prior enhancing conviction, when that conviction is later vacated, is barred by the equitable doctrine of laches.

WR-88,970-01

MCMILLAN, TANYA MARIE WARRELL

02/12/2020

Whether *Ex parte Pue*, 552 S.W.3d 226 (Tex. Crim. App. 2018), announced a new rule for purposes of retroactivity; if so, whether it is a substantive or procedural rule; and whether one of the exceptions to the general rule of retroactivity applies. *See Teague v. Lane*, 489 U.S. 288, 307 (1989).

WR-89,128-01

THOMAS, STEVEN

01/30/2019

Whether a claim based on *Moon v. State*, 451 S.W.3d 28 (Tex. Crim. App. 2014), is cognizable in an application for a writ of habeas corpus and whether *Moon* should

apply retroactively on collateral review.

WR-90,880-02 **CASTILLO, DENNIS JACOB** **01/27/2021**

Whether Applicant was denied his right to appeal.

WR-90,982-01 **SALINAS, GENOVEVO SALINAS** **01/27/2021**

Whether Applicant was denied his right to effective assistance of counsel.

WR-91,197-01 & -02 **KIBLER, JONATHAN H.** **05/06/2020**

Whether a person convicted of multiple charges of indecency with a child by exposure that are adjudicated at the same time has received multiple convictions “before or after” conviction as described in Article 62.101(a)(4) of the Texas Code of Criminal Procedure.

WR-91,503-01 **COOK, JASON JERMAINE** **02/10/2021**

What the allowable unit of prosecution is under § 49.045 and whether Applicant was sentenced to multiple punishments in violation of the Double Jeopardy Clause.

WR-91,731-01 **MATHEWS, AARON** **11/11/2020**

Applicant contends that his plea was involuntary because a police officer presented false evidence. This application was filed and set for submission to determine whether this Court’s decision in *Ex parte Coty*, 418 S.W.3d 597 (Tex. Crim. App. 2014) applies to all state actors.

WR-91,748-01 **COLLIER, ARTHUR RAY** **11/25/2020**

Whether Applicant was denied his right to appeal.